IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE
CRIMINAL APPLICATION NO.3078 OF 2005

Shri Padmini Vishwanath Game & Another ...Petitioners
V/s.
The State of Maharashtra ..Respondent.

Shri Milind V. Deshmukh for the Appellants.
Mr.A.S.Gadkari , A.P.P. for the State.

CORAM: ABHAY S.OKA , J.
DATED : 8th June, 2005.

P.C.:

1.Heard the Counsel appearing for the parties. This application is filed by the applicants for grant of an anticipatory bail. A case has been registered vide C.R.No.13/05 at Akluj Police Station under section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and sections 498(A), 201, 323, 504 and 506 read with Section 34 of the Indian Penal Code. It is not in dispute that the chargesheet is already filed after completion of investigation. The contention of the Applicant is that no case is made out

for any offence under the said Act of 1989. It is submitted that the applicant no.1 is an old lady of 72 years. The applicant no.2 is a housewife.

2. After perusal of the copies of documents which were produced before the Learned Trial Judge, I find that this is the case where bar under section 18 of the said Act of 1989 will apply.

3. However, considering the fact that the applicants are housewives and considering the facts and circumstances of the case, reasonable time deserves to be granted to the applicants to surrender before the concerned Court with liberty to apply for bail in accordance with law.

4. Hence, I pass the following order:

i. Application is rejected.

ii. The Applicants are granted time of two weeks to surrender before the concerned Court.

iii. The Applicants will be at liberty to make appropriate application for appropriate relief before the regular

Court which will be immediately decided by the concerned Court on its own merits.

iv. The Application is disposed of in above terms.

Judge.